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Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/645,386	DAY ET AL.
	Examiner	Art Unit
	Benjamin R Bruckart	2155

-- The MAILING DATE of this communication app ars on the cov r sheet with the correspond nc address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>05 January 2004</u>.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-22, 24-40, 42-57</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-22,24-40 and 42-57</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>2</u>.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

Detailed Action

Status of Claims:

Claims 1-22, 24-40, and 42-57 are pending in this Office Action.

The 35 U.S.C. 112, second paragraph rejection is withdrawn from claim 17.

Claims 1, 2, 4, 9, 10, 18; 21, 22, 24, 29, 30, 38; 39, 40, 42, 47, 48, 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over "A Method for Web Robots Control," Internet Draft by *Network Working Group, M. Koster* (Applicant IDS) in view of U.S. Patent No. 6,434,548 by Emens et al.

Claims 5-8; 25-28; 43-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over "A Method for Web Robots Control", Internet Draft by *Network Working Group, M. Koster* in view of U.S. Patent No. 6,434,548 by Emens et al in further view of U.S. Patent No. 6,094,649 by Bowen et al.

Claims 11 – 14; 31-34; 49-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over "A Method for Web Robots Control", Internet Draft by *Network Working Group, M. Koster* in view of U.S. Patent No. 6,434,548 by Emens et al in further view of U.S. Patent No. 6,138,157 by Welter et al. ("Welter")

Claims 15 and 16; 35-36; 53-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over "A Method for Web Robots Control", Internet Draft by *Network Working Group, Koster* (Applicant IDS) in view of U.S. Patent No. 6,434,548 by Emens et al in further view of in view of U.S. Patent No. 5,983,267 by Shklar et al. ("Shklar").

Claims 17, 37, 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over "A Method for Web Robots Control", Internet Draft by *Network Working Group, M. Koster* (Applicant IDS) in view of U.S. Patent No. 6,434,548 by Emens et al in further view of in view of U.S. Patent No. 5,983,267 by Shklar et al. ("Shklar") in further view of U.S. Patent No. 5,873,076 by Barr et al.

Claims 19 and 20, 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over "A Method for Web Robots Control", Internet Draft by *Network Working Group, M. Koster* (Applicant IDS) in view of U.S. Patent No. 6,434,548 by Emens et al in further view of "Data Warehousing and the Web (Internet/Web/Online Service)", Government Computer News Vol. 18, Issue 4, 2/22/99 pp1-4 by Walker. (Applicant IDS)

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

Claims 4, 24, 42 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 4 recites the limitation "the method of claim 3" on page 4.

Claim 24 recites the limitation "the system of claim 23" on page 7.

Claim 42 recites the limitation "the program of claim 41" on page 11.

There is insufficient antecedent basis for this limitation in the claim since the parent claim has been canceled.

The examiner feels the applicant may have inaccurately numbered the dependent claim and meant to point to the independent claim.

Response to Arguments

Applicant's arguments filed in the amendment filed January 5, 2004, Paper No. 7, have

been fully considered but they are not persuasive. The reasons are set forth below.

Applicant's invention as claimed:

The Koster reference teaches a method of searching data repositories managed by different content providers to gather indexable data on content at addresses locations at the data repositories (Koster: page 2, Introduction – 3 paragraphs), comprising:

accessing customizable settings capable of being customized by the content provider (Koster: page 3, Access Method – 5 paragraphs), wherein the customizable settings provide an address of at least one content page in the data repository and a parameter for the address locations (Koster: page 3, Access Method – 5 paragraphs);

accessing the content page at the addressable location at the content provider's data repository indicated in the customizable settings (Koster: page 3, Specification – 1 paragraph; page 4, 3rd paragraph; addressable location is the <value>);

processing the accessed content page using the parameter provided for the addressable location of the accessed content page to generate output information (Koster: page 3; Specification 3, 1 paragraph; process is retrieving the instructions); and

generating data indicating the generated output information for the accessed content page to add to an index of metadata for accessed addressable locations at the data repository (Koster: Page 2, Introduction –3 paragraphs; retrieving a document; Robots often used for index and maintenance), and wherein customizable settings from the

different content providers are accessed to generate the metadata for the accessed content pages (Koster: page 3, 3.1 Access method, 1st paragraph).

The Koster reference does not explicitly state the indexing of metadata, only about indexing and gathering (Koster: page 2, Introduction, 3rd paragraph).

The Emens reference teaches an improved system of gathering and indexing metadata (Emens: col. 1, lines 52-57, lines 17-19) wherein the index of metadata includes metadata on content from the data repositories of the different content providers (Emens: col. 1, lines 17-22; summary data (metadata) of external sources).

The Emens reference further teaches the broad solution of periodically exhaustively searching (recrawl) the stored resources, summarize them and store the update summary data in the repository while replacing old data (Emens: col. 1, lines 19-23) is well known in the art and causes increasing resources required for internet search engines corresponding to data retrieval and organization that (Emens: col. 1, lines 45-48).

Therefore it would have been obvious to one of ordinary skill in the art to implement the method of searching data repositories to indexing and gathering data as taught by Koster while to indexing the metadata as taught by Emens in order to summarize and store the data in the repository (Emens: col. 1, lines 20-23).

Claims 2, 4, 9, 10, and 18 are rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of Koster, Emens and Welter.

Regarding claim 2, (Currently Amended) the method of claim 1, wherein the customizable settings include parameters and access methods unique to an arrangement of content in the content provider's data repository, wherein the access methods process the accessed content page using, the parameter (Koster: page 4, File Format Description, paragraphs 3-5; the address and user-agent names are parameters; the access method is the allow or disallow).

Regarding claim 4, (Original) the method of claim 3, wherein the addressable locations comprise uniform resource locator (URL) addresses (Koster: page 4, File Format Description, paragraphs 3-5; page 7, Examples).

Regarding claim 9, (Currently Amended) the method of claim 1, wherein the parameters in the accessed customizable settings further include a recursive search setting indicating whether to search hypertext links to linked addressable locations included in the accessed content page (Koster: page 2, Introduction 3 paragraphs; retrieve a document and recursively retrieving all documents that are referenced), further comprising:

accessing a content page at each linked addressable location included if the recursive search setting indicates to recursively search linked addressable locations (Koster: page 2, Introduction 3 paragraphs; retrieve a document and recursively retrieving all documents that are referenced; page 4, File Format Description, paragraphs 3-5; allow directories), wherein metadata is generated for each content page recursively accessed at the linked addressable locations in the accessed content page (Emens: col. 1, lines 17-22; search, summarize and store data (metadata) of external sources).

Regarding claim 10, (Original) the method of claim 9, wherein the accessed customizable settings further provide prohibited addressable locations at the data repository (Koster: page 4, File Format Description, paragraphs 3-5; disallow directories), wherein metadata is not generated for each content page at a linked addressable location that is one indicated prohibited address location (data is not indexed or gathered).

Regarding claim 18, (Original) the method of claim 1, further comprising:

distributing a collection tool to content providers capable of accessing and generating data (Koster: page 2, Introduction 3 paragraphs) metadata (Emens: col. 1, lines 17-22) for content provider data repositories using the accessed customizable settings (Koster: page 2, Introduction 3 paragraphs, page 3, specification); and

collecting metadata data gathered from multiple content providers using the collection tool to gather metadata on their data repositories (Emens: col. 1, lines 17-22; search, summarize and store data (metadata) of external sources).

Claims 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over "A Method for Web Robots Control", Internet Draft by *Network Working Group, M. Koster* in view of U.S.

Patent No. 6,434,548 by Emens et al in further view of U.S. Patent No. 6,094,649 by Bowen et al.

Regarding claim 5,

The Koster and Emens references teach a method of searching data repositories managed by different content providers to gather indexable data on content at addresses locations at the data repositories (Koster: page 2, Introduction – 3 paragraphs).

The Koster and Emens references do not explicitly state the user of query terms in searching addressable locations.

The Bowen reference teaches a method wherein the parameters (Bowen: col. 4, line 36; keywords) in the accessed customizable settings (Bowen: col. 4, lines 30-34; at least one document) comprise query terms (Bowen: col. 4, line 36; keywords) for at least one included addressable location (Bowen: col. 4, lines 37; location identifier), further comprising:

for each provided addressable location for which there are query terms (Bowen: col. 4, lines 34-37), using the provided query terms at the provided addressable location to obtain query results (Bowen: col. 12, lines 16-26); and

generating metadata from the obtained query results to add to the index of metadata for accessed addressable locations at the data repository (Bowen: col. 4, lines 37-41).

The Bowen reference further teaches this system makes it possible to use a single search method to locate and retrieve desired information from different types of information services (Bowen: col. 5, lines 15-21).

Therefore it would have been obvious to one of ordinary skill in the art to implement the method of searching data repositories managed by different content providers to gather indexable data on content at addresses locations at the data repositories (Koster: page 2, Introduction – 3 paragraphs) as taught by Koster and Emens while utilizing query terms as taught by Bowen in order to use a single search method to locate and retrieve desired information from different types of information services (Bowen: col. 5, lines 15-21).

Claims 6-8 are rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of the Koster, Emens and Bowen.

Regarding claim 6, (Original) the method of claim 5, wherein the accessed customizable settings further provide qualifiers for at least one search term (Bowen: col. 12, lines 9-15), further comprising:

for each query term having at least one qualifier, determining whether the query results for the query term satisfy each qualifier for the query term (Bowen: col. 10, lines 39-43), wherein the metadata for the query result is generated if the query result satisfies each qualifier for the query term that generated the query result (Bowen: col. 10, lines 37-48); and

performing a non-qualifying action for each query result that does not satisfy each qualifier (Bowen: col. 10, lines 49-58).

Regarding claim 7, (Original) the method of claim 6, wherein the non-qualifying action comprises not including metadata for the query result in the index (Bowen: col. 10, lines 49-52; omitted from a comprehensive representation).

Regarding claim 8, (Currently Amended) the method of claim 1 wherein the parameters in the accessed customizable settings further include a password for at least one provided addressable location (Bowen: col. 14, lines 66 – col. 15, line 10), further comprising:

using the provided password to access the content page at the indicated addressable location for which the password is provided (Bowen: col. 14, lines 66 – col. 15, line 10).

Claims 11 - 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over "A Method for Web Robots Control", Internet Draft by *Network Working Group, M. Koster* in view of U.S. Patent No. 6,434,548 by Emens et al in further view of U.S. Patent No. 6,138,157 by Welter et al. ("Welter")

Regarding claim 14,

The Koster and Emens references teach a method of searching data repositories managed by different content providers to gather indexable data on content at addresses locations at the data repositories (Koster: page 2, Introduction – 3 paragraphs).

The Welter reference teaches the method (of claim 1) wherein the accessed customizable settings (Welter: col. 2, lines 23-26; test configuration file) further indicate validation checking programs (Welter: col. 2, lines 65-67), further comprising:

executing each validation checking program indicated in the accessed customizable settings (Welter: col. 2, lines 65-67) against each accessed content page (Koster: page 3, Specification – 1 paragraph; page 4, 3rd paragraph; addressable location is the <value>);

generating a validation output result with the validation checking program for each accessed content page with each validation checking program describing characteristics of the content page (Welter: col. 4, lines 40-47; col. 5, lines 64-67);

generating metadata from the validation output result to add to the index of metadata for accessed addressable locations at the data repository (Emens: col. 1, lines 17-22; summary data (metadata) of external sources).

The Welter reference further teaches that a method for testing a web site, which can test multiple features of web pages and can handle dynamic interactions with the web site would be desirable due to the complex interactivity permitted under the HTML standards and the dynamic interactions with the web pages. (Welter: col. 2, lines 9-15)

Therefore it would have been obvious to one of ordinary skill in the art to implement the method of searching data repositories managed by different content providers to gather indexable data on content at addresses locations at the data repositories (Koster: page 2, Introduction – 3 paragraphs) as taught by Koster and Emens to incorporate settings for customized verification and test programs as taught by Welter in order to test multiple features of a web site and handle dynamic interaction within the web site.

Claims 12-14 are rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of the Koster, Emens and Welter.

Regarding claim 12, (Original) the method of claim 11, wherein the accessed customizable settings further indicate at least one parameter to use with at least one validation checking program, further comprising:

using the at least one parameter when executing the validation checking program, wherein the validation output result further indicates characteristics of the content page related to the at least one parameter used with the validation checking program (Welter: col. 6, lines 19-23; Figure 4B, tag 126).

Regarding claim 13, (Currently Amended) the method of claim 11, wherein the parameters in the accessed customizable settings further indicate at least one qualifier to use with at least one validation checking program, further comprising:

determining whether the validation output result satisfies the at least one qualifier provided with the validation checking program producing the output result, wherein metadata for the output result is included in the index if the output result satisfies the qualifier (Welter: col. 2, lines 28-33; col. 3, lines 11-16; col. 4, lines 40-47).

Regarding claim 14, (Original) the method of claim 13, wherein metadata for the content page at the addressable location is not included in the index if the validation output result does not satisfy the qualifier (page 2, Introduction 3rd paragraph).

Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over "A Method for Web Robots Control", Internet Draft by *Network Working Group, Koster* (Applicant IDS) in view of U.S. Patent No. 6,434,548 by Emens et al in further view of in view of U.S. Patent No. 5,983,267 by Shklar et al. ("Shklar").

Regarding claim 15,

The Koster and Emens references teach a method of searching data repositories managed by different content providers to gather indexable metadata on content at addresses locations at the data repositories (Koster: page 2, Introduction – 3 paragraphs).

The Shklar reference teaches the method of claim 1, further comprising:
determining a format of the accessed content page; (Shklar: col. 2, lines 13-15)
selecting one of a plurality parsers capable of parsing the determined format; and (Shklar: col. 2, lines 13-15)
parsing the content page using the selected parser, wherein the metadata to add to the index is generated from the parsed content page. (Shklar: col. 2, lines 24-31)
The Shklar reference further teaches the system that analyzes and pre-indexes stored data in real time (Shklar: col. 2, lines 1-4) because of the problems associated with many different file types like straight text losing its readability, word and page-layout documents requiring the proprietary formats and version management (Shklar: col. 1, lines 46-58)
Therefore it would have been obvious to one of ordinary skill in the art to implement a method of searching data repositories managed by different content providers to gather indexable metadata on content at addresses locations at the data repositories (Koster: page 2, Introduction – 3 paragraphs) as taught by Koster and Emens to incorporate the features of indexing and real time file identification as taught by Shklar in order to read the many different file types without proprietary software or worrying about readability.

Claim 16 is rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of the Koster, Emens et al and Shklar.

Regarding claim 16, the method of claim 1, further comprising:
determining a parser capable of parsing an embedded file referenced in the content page; (Shklar: col. 2, lines 13-15)
parsing the content of the referenced embedded file; and (Shklar: col. 2, lines 24-31)
generating metadata for the parsed content of the embedded file to add to the index (Shklar: col. 2, lines 24-31).

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over "A Method for Web Robots Control", Internet Draft by *Network Working Group, M. Koster* (Applicant IDS) in view of U.S. Patent No. 6,434,548 by Emens et al in further view of in view of U.S. Patent No. 5,983,267 by Shklar et al. ("Shklar") in further view of U.S. Patent No. 5,873,076 by Barr et al.

Regarding claim 17,
The Koster and Emens references teach a method of searching data repositories managed by different content providers to gather indexable metadata on content at addresses locations at the data repositories (Koster: page 2, Introduction – 3 paragraphs). The Shklar reference teaches determining the format of the accessed content page and indexing based on file type (Shklar: col. 1, lines 46-58; col. 2, lines 1-4).
The Koster and Emens references do not explicitly state searching and indexing of multimedia files. The Shklar incorporates parsing and file identification but does not specify the indexing of multimedia files.
The Barr reference teaches a database search and retrieve system with files, (the method of claim 14,) wherein the embedded file is encoded in a multimedia format. (Barr: col. 4, lines 10-33)
The Barr reference further teaches that there is a growing number of non-textual documents being published and that a system returning both multimedia and textual references could increase the relevancy of the query. (Barr: col. 1, lines 38-55)
Therefore it would have been obvious to one of ordinary skill in the art to implement a method of searching data repositories managed by different content providers to gather indexable metadata on content at addresses locations at the data repositories (Koster: page 2, Introduction – 3 paragraphs) as taught by the Koster and Emens to

incorporate the features of indexing and real time file identification as taught by Shklar and reading and indexing of multimedia files taught by Barr et al in order to index both textual and multimedia references for searching.

Claims 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over "A Method for Web Robots Control", Internet Draft by *Network Working Group, M. Koster* (Applicant IDS) in view of U.S. Patent No. 6,434,548 by Emens et al in further view of "Data Warehousing and the Web (Internet/Web/Online Service)", Government Computer News Vol. 18, Issue 4, 2/22/99 pp1-4 by Walker. (Applicant IDS)

The Koster and Emens references teach a method of searching data repositories managed by different content providers to gather indexable metadata on content at addresses locations at the data repositories (Koster: page 2, Introduction – 3 paragraphs).

They does not explicitly state the intended purpose for the indexing or what is done with all of the metadata except for storing or search engine use.

The Walker reference teaches regarding claim 19, (the method of claim 18,) further comprising commercializing the collected metadata. (Walker: page 1, paragraphs 1-3; where data warehouses are the collected metadata centers)

The Walker reference further teaches that the data warehouses save companies money and help spread information at a faster rate (Walker: page 2, paragraphs 5-7)

Therefore it would have been obvious to one of ordinary skill in the art to implement a method of searching data repositories managed by different content providers to gather indexable metadata on content at addresses locations at the data repositories (Koster: page 2, Introduction – 3 paragraphs) as taught by Koster and Emens to incorporate the feature of warehousing and commercializing the data indexed by the robot as taught by Walker in order to save money in distribution and storing data and to share the data more openly.

Claim 20 is rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of the Koster, Emens and Walker.

Regarding claim 20, the method of claim 18, further comprising:

receiving an electronic subscription from content providers to use the collection tool and provide metadata. (Walker: Page 3, Paragraph 7)

The examiner relates these claims together (as show in rows). The examiner recognizes the distinction between a method, a system and a program but relates these to the code, features, and hardware for which the invention is implemented. The chart below relates to claims of 21, 22, 24-40, 42-57 to their basis of claims 1, 2, 4-20.

1	21	39
2	22	40
4	24	42
5	25	43
6	26	44
7	27	45
8	28	46
9	29	47
10	30	48
11	31	49

12	32	50
13	33	51
14	34	52
15	35	53
16	36	54
17	37	55
18	38	56
19		
20		57

The Applicant Argues:

With regard to amended claim 1 overcomes the art by having the added requirements that

the customizable settings include an address of at least one content page and a parameter for the

address location, and that the page at the addressable location is accessed and processed using

the parameter to generate output information that is indicated in the metadata.

In response, the examiner respectfully submits:

The art teaches <u>customizable settings</u> (Koster: page 3, Access Method – 5 paragraphs) in

the robots.txt file, which each content provider may create, and tailor to their sites indexing

needs. The robots.txt file containing <u>parameters</u> (allow and disallow) (Koster: page 3;

Specification 3, 1 paragraph; process is retrieving the instructions) that are processed by the

robot to index or ignore <u>addressable locations</u> (Koster: page 3, Specification – 1 paragraph; page

4, 3rd paragraph; addressable location is the <value>). The examiner has amended the rejection

from a 35 U. S. C. 102(b) to a 35 U. S. C. 103(a) on claim 1, 21, and 39 because metadata is a

form of data well known in the art but not explicitly stated in the Koster reference.

With regard to amended claim 2, applicant states that Koster page 4, only indicates URLs

that the web robot is allowed and disallowed to access. Nowhere does it state customized

settings, instructions or an access method using a parameter to access the content page.

In response, the examiner respectfully submits:

Allowing and disallowing are both access methods for inclusion or exclusion of indexing

data by the web robot. The Koster reference teaches page 4, File Format Description, paragraphs

3-5; the address and user-agent names are parameters; the access method is the allow or disallow.

The robots.txt file holds the field and values for allowing or excluding access. The value field is

the address or URL within the domain (Koster: page 3, Specification – 1 paragraph; page 4, 3rd

paragraph; addressable location is the <value>; See examples).

With regard to amended claim 9, the claim recites that the parameters in the accessed

customized settings further include a recursive search setting indicating whether to search

hypertext links to linked addressable locations included in the accessed content page. The

applicant argues the content settings do not allow for indication whether the address may or may

not be recursively searched.

In response, the examiner respectfully submits:

The web robot performs a recursive search for content starting with an address or

document (Koster: page 2, Introduction 3 paragraphs; retrieve a document and recursively

retrieving all documents that are referenced). The value field in the robots.txt file would allow a

directory or disallow a directory from recursive searching, thus allowing all the files and or

subdirectories underneath it to be or not to be indexed (page 4, File Format Description,

paragraphs 3-5; allow directories). The addresses (Koster: page 4, examples) allow the content

provider to direct the web robot where to search or not. By indicating a file or directory to allow

or disallow you are restricting or opening up the web robots recursive options to search. The

Emens et al reference teaches explicitly, generating metadata (data) from the content. (Emens:

col. 1, lines 17-22; search, summarize and store data (metadata) of external sources).

With regards to amended claim 5, the applicant argues the Stewart reference does not

teach a customizable accessed settings page and that the queries are handled within a webpage.

In response, the examiner respectfully submits:

With regards to claims 5-8, 25-28, and 43-46, the examiner recognizes the webpage does

query a database, in a similar way that a web robot would query a database. Because the query

terms are in an access customizable page like HTML, the reference demonstrates its use. The

examiner agrees, Steward reference does comprise but does not provide query terms to the web

robot. The reference is replaced by U.S. Patent No. 6,094,649 by Bowen et al which teaches the

limitations of claim 5-8; 25-28; 43-46

With regards to claims 11-14; 31-34; and 48-52; applicant argues nowhere in cited col. 2,

does Welter teach accessed customizable settings indicating validation checking programs.

Applicant further argues there is no indication to make the test configuration to web robots to

generate and gather metadata for data repositories.

In response, the examiner respectfully submits:

The Welter reference teaches the test configuration file is configurable via a browser

(Welter: col. 2, line 41-43) and provides settings for interactive tests (Welter: col. 3, lines 7-16).

The monitor object as indicated in Welter, col. 2, lines 44-50 acts like a web robot, by creating

the HTTP connection, receiving HTML, analyses, and stores into the database (Welter: col. 2,

lines 47-53). The validation checking programs are forms of test inquiries (Welter: col. 2, lines

65-67). Thus by having an editable file with settings for interactive tests, Welter teaches accessed

customizable settings in which the monitoring object utilize in running the tests to check validity.

Prior Art

U. S. Patent Pub No. 2001/0039563 issued to Tian.

U. S. Patent No. 6,145,003 issued to Sanu et al.

U. S. Patent No. 6,192,364 issued to Baclawski.

U. S. Patent No. 6,263,364 issued to Najork et al.

U. S. Patent No. 5,935,210 issued to Stark.

U. S. Patent No. 6,253,198 issued to Perkins.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Benjamin R Bruckart whose telephone number is (703) 305-

0324. The examiner can normally be reached on 8:00-5:30PM with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Hosain Alam can be reached on (703) 308-6662. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.
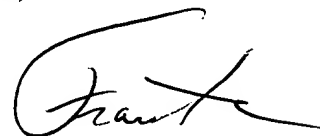
Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Benjamin R Bruckart
Examiner
Art Unit 2155

brb
February 5, 2004

FRANTZ B. JEAN
PRIMARY EXAMINER